

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

PAMELA S. SILVEY, et al ,
Plaintiff

v

CIVIL ACTION: C-1-01-164

SMITHKLINE BEECHAM ,
Defendant

SCHEDULING ORDER

Pursuant to document #16, the following schedule is hereby entered and shall control the disposition of the above styled case:

(1) Plaintiff's will comply with Rule 26(a)(2) of the Federal Rules of Civil procedure no later than August 15, 2004. Defendants will comply with Rule 26(a)(2) of the Federal Rules of Civil procedure no later than October 15, 2004. Both parties pursuant to the Rule will furnish a curriculum vitae, as well as a binding written report of the expert witnesses' testimony to any opposing party.

(2) The discovery cut-off date is November 15, 2004.

(3) Joint Status Report including the parties position as to Mediation will be filed November 1, 2004.

(4) All dispositive Pretrial Motions shall be filed by December 15, 2004. Upon filing of a dispositive motion, the movant shall file with the Court and serve upon opposing counsel Proposed Findings of Fact and Conclusions of Law supporting movant's request for relief. Twenty days thereafter, opposing counsel shall file with the Court and serve with its Response to the dispositive motion, a copy of Movant's Proposed Findings of Facts and Conclusions of Law highlighted/underlined in the following manner:

a) Highlight/underline in **BLUE** those Findings of Fact which are true;

b) Highlight/underline in **YELLOW** those Findings of Fact which are true but irrelevant or unimportant;

c) Highlight/underline in **RED** those Findings of Fact which are not

true; and

d) Highlight/underline in **RED** any misstatement of law contained in the Conclusions of Law.

Opposing Counsel may also attach a Counter statement of Findings of Fact and Conclusions of Law.

Within ten days thereafter the movant shall file its Reply. If a Counter Statement of Findings of Fact and Conclusions of Law has been filed, the movant shall serve upon opposing counsel and attach to its Reply a copy of the Counter Statement of Findings of Fact and Conclusions of Law highlighted/underlined in the manner described above.

(5) Counsel shall file their Proposed Joint Final Pretrial Order by March 1, 2005 and this case shall proceed to trial in the April 2005 trial term.

IT IS SO ORDERED.

S/Herman J. Weber

Herman J. Weber, Senior Judge
United States District Court